

### **REMARKS**

Upon entry of this Amendment, claims 3-20, 23-25, 27, 28, 30-32, 37, 39, 45, 47, and 49-133 remain pending, with claims 49-131 withdrawn from consideration as drawn to a nonelected invention. In the Final Office Action<sup>1</sup> mailed June 1, 2007, the Examiner took the following actions:

- (a) required cancellation of nonelected claims;
- (b) rejected claims 23-25, 27, 28, 30-32, 37, 39, 45, and 47 under 35 U.S.C. § 112, first paragraph; and
- (c) allowed claims 3-20, 132, and 133.

#### **Regarding the Nonelected Claims:**

Since Applicants' election filed on July 13, 2005, was made *without* traverse, there is no requirement that Applicants cancel nonelected claims. The Examiner erroneously indicated on page 2 of the Final Office Action that an election was made *with* traverse. Because the election was, in fact, made *without* traverse (as acknowledged on page 2 of the Office Action dated September 28, 2005), this means that the Examiner can cancel the nonelected claims if she so desires. Therefore, the cancellation of nonelected claims by Applicants is unnecessary and not required at this stage of the prosecution. If the Examiner still requires cancellation of claims after consideration of a response to the Final Office Action, Applicants respectfully request that the Examiner use form paragraph 8.07 to cancel the nonelected claims. See M.P.E.P. § 821.02.

#### **Rejection under 35 U.S.C. § 112, 1st ¶:**

In the 35 U.S.C. § 112, first paragraph, rejection, the Examiner alleged that claims 23-25, 27, 28, 30-32, 37, 39, 45, and 47 "contain[] subject matter which was not described in the

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<sup>1</sup> The Office Action may contain statements characterizing the related art, case law, and claims. Regardless of whether any such statements are specifically identified herein, Applicants decline to automatically subscribe to any statements in the Office Action.

specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s) . . . had possession of the claimed invention.” Final Office Action, p. 3.

In response, Applicants have amended independent claims 23 and 25 to more appropriately recite the claimed method steps. In addition, Applicants point out that independent claims 23, 25, 37, and 45 are supported by the original specification at, for example, p. 37, line 19 to p. 41, line 23, and Fig. 24. Applicants therefore respectfully request withdrawal of the rejection of claims 23-25, 27, 28, 30-32, 37, 39, 45, and 47 under 35 U.S.C. § 112, first paragraph.

**Allowed Claims:**

Applicants acknowledge with appreciation the Examiner’s indication that claims 3-20, 132, and 133 are allowed.

**Conclusion:**

Applicants submit that the reasoning presented herein in response to the 35 U.S.C. § 112, first paragraph, rejection renders the entire application in condition for allowance. Applicants therefore request reconsideration of the application and withdrawal of the rejections. Pending claims 3-20, 23-25, 27, 28, 30-32, 37, 39, 45, 47, 132, and 133 are in condition for allowance, and Applicants request a favorable action.

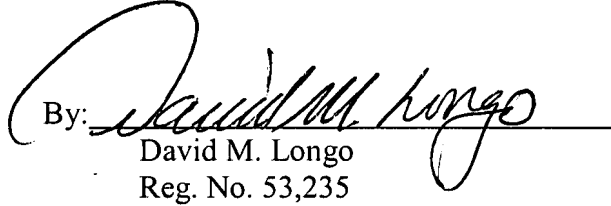
If there are any remaining issues or misunderstandings, Applicants request the Examiner telephone the undersigned representative to discuss them.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: October 31, 2007

By:   
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